

Your Legal Rights Under State Law 327C

Storm Shelters and Evacuation

Parks with 10 or fewer homes are not required to have a storm shelter. However they are required to have an evacuation plan that must be approved by the local municipality.

Parks with more than 10 homes licensed prior to March 1, 1988 must provide either a storm shelter or an evacuation plan. Parks licensed after March 1, 1988 must provide a shelter within the park

Reasonable Rule

Park rules, leases and regulations must:

- promote the convenience and safety of the residents. It must promote the good appearance and efficient operation of the park, protect the park premises and fairly distribute services and facilities.
- not be retaliatory or discriminatory in nature
- inform residents of acceptable and unacceptable behavior.

Unreasonable and Illegal Rules

Unreasonable rules are not allowed and include but are not limited to:

- prohibiting a resident from putting a reasonably sized “for sale” sign on their home.
- requiring a resident to use the services of a particular dealer or broker for an in park sale.
- requiring a resident or prospective resident to buy goods or services from a particular vendor—including the park owner.
- requiring more than one occupant of a home to have an ownership interest in the home.

Parks cannot make rules that conflict with a resident’s privacy within their home and freedom of expression within the park.

Park Rule Changes

Law requires an owner to give residents 60 days written notice before changes take effect. All change must be reasonable. Any new rule that “substantially modifies” previous policies can only be enforced against new residents.

Substantial modification is defined as

- significantly diminishing or eliminating the park owner’s material obligation.
- significantly limiting resident’s rights, privileges or freedom of action.
- involving a significant new expense for a resident

Rent Increase

A park owner must give residents 60 days’ written notice of any rent increase. The owner may only increase the rent twice in 12 months and the increase must be “reasonable.”

Eviction

There are only eight reasons for which a resident may be evicted.

- Late rent or utility charges owed to the park
- Resident failure to comply with a law or government rule relating to manufactured home parks.
- Breaking the terms of the lease or park rules
- Repeated violations of lease or park rules
- If the resident is significantly annoying or endangering other residents or park personnel
- If a park is going to close
- If it is necessary for the health and safety of the park
- Resident gives false information in the lease application.

Park Closing

Park owner must provide a “closure statement” to local planning agency and each resident nine months before the planned closing. The “closure statement” must say the park is closing and it must list replacement housing within 25 miles of the park as well as give estimates for moving homes from the park.

A public hearing is required through the local municipality to determine the impact of the park closing on residents. In cities without a **park closing ordinance**, park owners are not required to compensate residents for relocation costs.

45 Day Right of First Refusal

If a park is closing for redevelopment within a year of a purchase agreement the residents have 45 days to match the price terms and conditions of the buyer’s offer.

Resident Associations

Residents within a park have a right to form a Resident Association. They are formed to solve problems concerning living conditions within the park. To form a resident association, park residents need 51% of the park to sign a petition to form a resident association. Park owners cannot retaliate against residents for participating in the activities of a resident association, for making a complaint or attempting to exercise their rights in good faith.